

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**: CASE NO: 1:10-CR-014
: JUDGE BLACK**

**ERIC DUKE,
SSN: ***-**-3457**

Defendant.

and

**PAUL SCHWARZ,
ADMINISTRATOR, ESTATE OF ROBERT E. TEVLIN,
Garnishee.**

AMENDED APPLICATION FOR A WRIT OF CONTINUING GARNISHMENT

The United States of America, by and through its representative the United States Attorney for the Southern District of Ohio, for its cause of action alleges:

1. Plaintiff United States of America, pursuant to 28 U.S.C. § 3205(b)(1), requests the issuance of a Writ of Continuing Garnishment against certain property of Defendant Eric Duke (“Defendant”), which is (or may become) in the possession, custody or control of Paul Schwarz, Administrator for the Probate Estate of Robert E. Tevlin, (“Garnishee”), for satisfaction of the monies owed by Defendant to the United States due to the judgment entered against the Defendant in the above-captioned case. It should be noted that the probate case of Robert E. Tevlin was filed in the Commonwealth of Kentucky, Campbell District Court, Division 2, Probate Division, Case No. 17-P-00286.

2. This debt arises from the April 15, 2011 judgment entered against Defendant in Case No. 1:10-CR-014. The amount of the debt that remains unpaid and due and owing is: \$2,066,829.50 (\$2,066,829.50 principal and \$.00 interest) as of October 5, 2018, with additional interest accruing thereafter at the rate of 0 percent per annum. Interest was waived by the Court.

3. Defendant's last known address is: 1638 Brandon Dr., Hebron, KY 41048.

4. Not less than 30 days has elapsed since demand for payment was made upon Defendant. The last demand notice for payment was May 9, 2011. Since that time, Defendant has failed to pay the total amount due.

5. Garnishee is believed to have possession of property in which Defendant has a substantial nonexempt interest, and will owe the money or property to Defendant.

6. The name and address of the Garnishee or its authorized agent is:

Paul Schwarz, Esq.
Administrator, Estate of Robert E. Tevlin
First Financial Bank, Wealth Management
255 E. Fifth St., Ste. 700
Cincinnati, OH 45202

The requirements of 28 U.S.C. § 3205(b) having been satisfied, the United States hereby requests the issuance of a Writ of Continuing Garnishment.

Respectfully submitted,

BENJAMIN C. GLASSMAN
United States Attorney

s/ Bethany J. Hamilton
BETHANY J. HAMILTON (0075139)
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Attorney for Plaintiff
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Bethany.Hamilton@usdoj.gov

CERTIFICATE OF SERVICE

A true copy of the above and foregoing Application for a Writ of Continuing Garnishment was electronically filed with the Clerk of the Court using the CM/ECF system and mailed to by first class mail, postage prepaid, this 5th day of November, 2018 to:

Eric Duke
1638 Brandon Dr.
Hebron, KY 41048

Paul Schwarz, Esq.
Administrator, Estate of Robert E. Tevlin
First Financial Bank, Wealth Management
255 E. Fifth St., Ste. 700
Cincinnati, OH 45202

s/ Bethany J. Hamilton
BETHANY J. HAMILTON (0075139)
Assistant United States Attorney